IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL WRIT PETITION NO.654 OF 2006

Mr.Vijay Kumar s/o Late
Shri Pranlal Mehta : Petitioner.

versus

State of Maharashtra & Anr. : Respondents.

Mr.A.M.Saraogi for the petitioner.
Mrs.A.S.Pai, APP, for the State.

CORAM : D.G.DESHPANDE
V.K.TAHILRAMANI JJ.
DATED : MARCH 28, 2006.

P.C.

1. Heard advocate for the petitioner and the learned APP for the State. A complaint under Section 420 of the Indian Penal Code is filed against the petitioner. According to him, he was never served with the summons and only Non-bailable warrant came to be issued against

him. He got information about the same and got the papers of the complaint and then he has filed this petition.

2. Looking to the allegations, it is necessary for the petitioner to approach to the concerned Court at Patna i.e. Chief Judicial Magistrate's Court at Patna where he can apply for his discharge, exemption whatever he wants to do as per the rights which he possesses. Therefore, with this liberty this petition is disposed of. The petitioner to approach the said Court i.e. Chief Judicial Magistrate's Court at Patna within four weeks from today. He may apply there for discharge and for personal exemption and, looking to the fact that the petitioner hails from Bombay, the Chief Judicial Magistrate at Patna will consider his application for exemption sympathetically and also for bail. For six weeks from today the petitioner will not be arrested in the matter. The petition is disposed of.

[D.G.DESHPANDE,J]

[V.K.TAHILRAMANI,J]